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OCT 26 2004

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## CENTRAL LOCATION

### FACSIMILE COVER SHEET

**Examiner:** Anh Vu. H. Ly **Group:** 2667

**Date:** October 26, 2004

**Client Code:** 2390

**Facsimile No.:** 703-872-9306

**From:** James M. Smith, Esq.

**Subject:** Paper: Notice of Appeal, with two month Extension of Time

**Docket No.:** 2390.1011-000

**Applicants:** William J. Dally, *et al.*

**Serial No.:** 09/316,699

**Filing Date:** May 21, 1999

Number of pages including this cover sheet: 3

Please confirm receipt of facsimile: Yes X No       

#### Comments:

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August 25, 2004

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T-618 P.02/03 F-455  
PATENT APPLICATION  
DOCKET NO.: 2390 1011-000

OCT 26 2004

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: William J. Dally, Philip P. Carvey, P. Allen King, William F. Mann and Larry R. Dennison

Application No.: 09/316,699 Group: 2667

Filed: May 21, 1999 Examiner: Anh Vu H. Ly

Confirmation No.: 8189

For: FABRIC ROUTER WITH FLIT CACHING

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on	
10/26/04	Janice A. Tardiff
Date	Signature
Janice A. Tardiff	
Typed or printed name of person signing certificate	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 26, 2004 of the Examiner finally rejecting claims 1-28 and 30-56. The item(s) checked below are appropriate:

- Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated May 26, 2004 for two (2) month(s) from August 26, 2004 to October 26, 2004.
- A [ ] month extension of time to respond to the Office Action Made Final dated [ ] was filed on [ ] with payment of a \$[ ] fee.
- Applicant hereby petitions for an additional [ ] month extension of time to respond to the Office Action Made Final.
- A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

09/316,699

-2-

## 4. Fees are submitted for the following:

<input checked="" type="checkbox"/> Extension of Time for two month(s)	\$ <u>430</u>
<input type="checkbox"/> Additional Extension of Time:	
Fee for Extension ([ ] mo.)	\$ _____
Less fee paid ([ ] mo.)	\$ _____
Balance of fee due	\$ <u>0</u>
<input checked="" type="checkbox"/> Notice of Appeal	\$ <u>340</u>
<input type="checkbox"/> Other _____	\$ _____
	<b>TOTAL \$ <u>770</u></b>

## 5. The method of payment for the total fees is as follows:

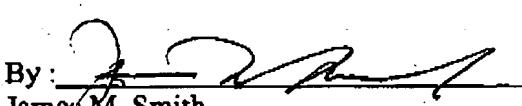
A check in the amount of \$[ ] is enclosed.

Please charge Deposit Account No. 08-0380 in the amount of \$770.00.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By:   
James M. Smith  
Registration No.: 28,043  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date:

10/26/04